

October 10, 2000

The Salisbury Planning Board held its regular meeting on Tuesday, October 10, 2000, in the City Council Chambers of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

PRESENT: DeeDee Wright, Ken Mowery, Jeff Sowers, Jeff Smith, Mark Perry, Mark Lewis, Leigh Ann Loeblein, Sean Reid, Elaine Stiller, Andy Storey, Fred Dula

ABSENT: John Daniels

STAFF: Harold Poole, Patrick Kennerly, Hubert Furr, Janice Hartis

The meeting was called to order by Chairman Lewis. The minutes of September 12, 2000, were approved as published.

ZONING MAP AMENDMENTS

Z-21S-00 Steve Bivins, 2222 Statesville Boulevard

Location: 2222 Statesville Boulevard

Size: 1.46 acres

Existing Zoning: B-7 Limited Business

Proposed Zoning: B-6-S Special General Business

Proposed Uses: B-7 uses; warehouse establishments

Proposed Conditions: Site plan review; B-7 sign regulations; front and sides of building to be all brick and/or split-face block

(a) Chairman Lewis convened a courtesy hearing on Z-21S-00.

Those speaking in favor of the zoning change request:

Charles Jordan, 3301 Chaucer Drive, Charlotte, representing petitioner. Wants to locate a Merita Breadbox store on the property. The business will involve warehouse and retail use.

Those speaking in opposition to the zoning change request:

Sandra Bost, representing her mother Margaret Foster who is an adjacent property owner. The back of the proposed building would be facing Mrs. Foster. Her main concern is that Holly Avenue not be used by delivery trucks or customers. Most of the people living in this area are elderly.

Stan Gillian, representing his mother Nancy Gillian who is an adjacent property owner. Questioned whether several large trees would remain on the property. Wants a stipulation that if property is rezoned, the developer would erect a 10-foot privacy fence on the east side of the tree line. Mr. Poole indicated this could be addressed during group development site plan review.

Three people stood in favor of the rezoning and three stood in opposition to the request.

The chairman closed the courtesy hearing on this case.

(b) Board Discussion:

Mark Perry – Concerned whether the eight-foot buffer between a business and a residence is enough or should a fence also be required. Doesn't want the neighborhood drastically impacted by this new business.

Ken Mowery noted that the only reason this rezoning is being considered is because the proposed business has a warehouse-type operation which is not permitted in B-7. Any B-7 permitted uses could be put on this property without any review by the Planning Board.

Andy Storey moved to recommend rezoning the property as proposed with the proposed conditions and uses as stipulated. The motion was seconded by Leigh Ann Loeblein with all members voting AYE.

Z-23-00 F & M Bank, Inc., 200 block North Main Street

Location: Vacant R. W. Norman's building and adjacent parking lot on the eastern side of the 200 block of North Main Street, plus the entire southern side of the 100 block of East Liberty Street for one-half block depth

Size: Approximately 1.66 acres

Existing Zoning: B-6 General Business

Proposed Zoning: B-5 Central Business

(a) Chairman Lewis convened a courtesy hearing on Z-23-00.

Those speaking in favor of the zoning change request:

Steve Fisher, F & M Bank – Bank recently purchased half of the 200 block of North Main Street. The first component of their development is the Mayfield Building which will be used as offices for the bank. To the rear of that building will be a Charleston-style garden. The adjacent Norman's building will be an office complex. In order for that building to be developed, an addition is needed to bring it up to code. Another building in the area will eventually be used by the Waterworks Visual Arts Center. In order for the Waterworks Center to get sufficient space for their needs for future growth, they are also proposing an addition to their building. All buildings need to be pulled out to the street corner. The existing B-6 zoning requires a 35-foot setback. B-5 does not require a front yard setback.

John Henderlite of A & H Investments, 3 North Road. A & H Investments intends to develop the property at 225 North Main Street, the R.W. Norman building, as office space. There are three reasons why it is critical to have this property zoned B-5: compliance with building code requirements; state and federal agency requirements for income tax credits; and marketability of the project. Also, B-5 offers fewer permitted uses than B-6.

Robert Shalkop, 309 West Marsh Street, representing the Waterworks Visual Arts Center Design Committee. The planned addition would be severely impacted if they were required to have a setback.

Those speaking in opposition to the zoning change request:

None

Six people stood in favor of the rezoning request. No one stood in opposition.

The chairman closed the courtesy hearing on this case.

(b) Board Discussion:

Andy Storey moved to recommend rezoning the property as proposed. The motion was seconded by Sean Reid with all members voting AYE.

Z-22-00 City of Salisbury, Old Mocksville Road near Ridge Road

Location: Between Old Mocksville Road, Sells Road and Ridge Road

Size: Approximately 95 ½ acres

Existing Zoning: A-1 Agricultural, R-8 Single Family-8 Residential, R-20 Single Family-20 Residential

Proposed Zoning: PSP Public/Semi-Public

(a) Chairman Lewis convened a courtesy hearing on Z-22-00.

Those speaking in favor of the zoning change request:

John Vest, City Utilities Director. The City bought this property to reserve for a future water treatment plant facility. The City is currently planning to expand its existing plant, which is located downtown, from 12 MGD to 24 MGD. This means that nothing will be done towards actually building a treatment plant on subject property for at least 15 to 20 years. The only potential plans for the property within the next three to five years is the possibility of adding a reservoir. Access would be from Ridge Road and Old Mocksville Road. No trees are planned to be cut. Very minimal lighting would be installed. There would be very little noise or traffic. Any chemical storage would be in compliance with state and federal regulations. When the plant is built, it would occupy approximately five to ten acres of the property. There would be plenty of buffering between the reservoir and adjacent property.

Those speaking in opposition to the zoning change request:

Cora Mock, 1745 Sells Road. Asked several questions relating to Sells Road and whether there would be any noise or odor problems.

Norman Jordan, 2855 Old Mocksville Road. His property is adjacent to subject property. Questioned whether the property fronting Old Mocksville Road would be used as the driveway. Why access the plant at this location, which would be between two houses in a residential area, when there is access off Susan Lane. Susan Lane is an established road which should be used rather than putting in a new road between two residences. City has not been keeping up the property. The neighbors have been taking care of it.

Allen Brown, 2921 Old Mocksville Road. Was told the property would be used for a pump station, not a treatment plant. Has been keeping the city's property mowed so that water does not back up onto his property. Susan Lane goes directly to the property. Doesn't want to see fencing around the facility that makes it look like a prison. Doesn't see how a new road cut between his house and Mr. Jordan's house could benefit either property.

Karen Shuping, 1725 East Ridge Road. Owns 12 acres adjacent to the property in question. Has greenhouses on the rear of her property as well as landscaped gardens. Concerned with access that would be beside her property which faces East Ridge Road. Plans to put in wildlife trails. The best access would be from Susan Lane. Her gardens will be adjacent to the property in question and is concerned with the smell.

The chairman closed the courtesy hearing on this case.

One person stood in favor of the rezoning and nine stood in opposition to the request.

(b) Board Discussion:

Jeff Sowers – A lot of issues have been brought up, and he does not feel like he could make a recommendation one way or the other until several things are looked at with the city and adjacent property owners. He moved to refer this case to a committee. The motion was seconded by Mark Perry with all members voting AYE. The case was referred to Committee 2 (Leigh Ann Loeblein, DeeDee Wright, Jeff Smith, Mark Lewis).

This committee will also study the proposed zoning text amendment to add “water treatment facility and related uses” as a permitted use in the Public/Semi-Public District).

GROUP DEVELOPMENTS

G-11-00 Sapona Land Company, 611 Mocksville Avenue

A site plan has been submitted for a new medical building. The current structure will be demolished. All technical requirements have been met. The Technical Review Committee recommends approval. Dr. Doug Shellhorn, project architect George Godwin, and engineer Darrell Waggoner spoke in favor of the plan. Following discussion, Ken Mowery moved to recommend approval of the site plan. The motion was seconded by Fred Dula with all members voting AYE.

G-12-00 Pinnacle Office Park, 300 block of Jake Alexander Boulevard West

Mark Lewis and Leigh Ann Loeblein were excused from the Board during discussion of this case.

Fisher Harriss Development Company has submitted a site plan for the construction of two office buildings in the area formerly known as Leatherman Office Park, Phase 3. All technical requirements have been met. The Technical Review Committee recommends approval as submitted. Chuck Harriss spoke in favor of the site plan. He stated that the buildings would be compatible with the existing offices along Jake Alexander Boulevard as well as the neighborhood to the rear. Following discussion, Sean Reid moved to recommend approval of the site plan. The motion was seconded by Fred Dula with all members voting AYE.

COMMITTEE REPORTS

(a) VCOD Committee – Mark Perry gave the committee report. The committee met to discuss a map amendment for the placement of the Visual Corridor Overlay District over Innes Street property from Interstate 85 through downtown to West Craige Street. The committee discussed whether to include the 44-acre Krider property on the south side of East Innes Street at

its intersection with Interstate 85 as well as the Town Creek Commons property on the north side of East Innes Street. It was felt that neither of these developments should be included in the overlay district. The committee is recommending that the area shown on the map attached to the committee report be recommended for inclusion in the VCOD once the district is established. This recommendation is Phase I. The committee will look at the area along East Innes Street from Interstate 85 to Avalon Drive in a later phase as well as additional areas of West Innes Street.

The City Council has scheduled a public hearing for October 17 to consider a proposed text amendment establishing the Visual Corridor Overlay District. Pending the outcome of the Council hearing, Planning Board voted to schedule a courtesy hearing for the zoning map amendment following the adoption of the text amendment. Motion by Mark Perry, seconded by Jeff Sowers, with all members voting AYE. The Board also instructed staff to put an ad in the newspaper announcing the courtesy hearing.

(b) Transportation Improvement Program – Mark Lewis gave the committee report. The committee is recommending the following: (1) Endorse projects from last year's list of TIP recommendations; (2) Endorse DOT's proposed funding for high speed passenger rail and for Western N.C. passenger train service; and (3) Support preservation of the historic Wil-Cox Bridge on U. S. 29 over the Yadkin River, when improvements to I-85 reach the river. This committee recommendation comes to the Board as a motion to approve. The motion was seconded by Jeff Smith with all members voting AYE.

(c) Legislative Committee – Jeff Sowers gave the committee report. The committee is recommending the following changes to the Subdivision Ordinance: (1) Establish a maximum street length of 800 feet between intersections; (2) Establish a maximum cul-de-sac length of 600 feet; and (3) Establish a planted island in all future cul-de-sacs (this is now an option). The recommendation comes to the Board as a motion to approve. The motion was seconded by Sean Reid with all members voting AYE.

The committee is recommending adding to the Zoning Ordinance seven new definitions to Section 8.17 for RD-A and RD-B development. The definitions would be for the following types of housing: twin house, weak link house, townhouse, lot line house, village house, patio house, and atrium house. The committee recommendation comes to the Board as a motion to approve. The motion was seconded by Jeff Smith with all members voting AYE.

The committee is recommending another change to the Zoning Ordinance to require all lighting in new developments or remodeling where lighting is added to be installed in such a way that it be directed towards the property it serves and away from adjacent residential zoning or uses. The committee recommendation comes to the Board as a motion to approve. The motion was seconded by Sean Reid with all members voting AYE.

The committee will continue to discuss eliminating the planting yard requirement for RD-A and RD-B if developed as single-family or two family residential. Currently, we are requiring planting yards around the exterior of RD-A and RD-B properties regardless of the type of

residential development. But if single family in an RD-A adjoins a single family development outside an RD-A, why should a planting yard be required?

(d) Rules of Procedure – Elaine Stiller reported for the committee. Proposed changes to the Rules of Procedure include a new attendance policy that would allow only a specified number of unexcused absences during a 12-month period. This would include both regular and committee meetings. Another change is the addition of another Board meeting to be held on the fourth Tuesday of each month. Elaine explained the committee was trying to find a solution to the three- and four-hour meetings the Board has been having. Action on the proposed changes will be considered at next month's meeting. A new article has also been added dealing with board committees.

(e) Jake Alexander Blvd. Committee Small Area Study – No recommendation is ready at this time.

(f) Sidewalks, type of curbing, planting strips, etc. – Jeff Smith gave a status report. No recommendation is ready at this time.

(g) New committee – Mark Lewis appointed a new committee to look at site plan review in all office institutional, commercial and industrial districts. The committee will consider what impact this will have to require site plan review for all new developments in office, commercial and industrial zones. The committee will be composed of Mark Lewis, chair; Andy Storey, Sean Reid, Leigh Ann Loeblein, and Jeff Smith.

There being no further business to come before the Board, the meeting was adjourned.

Chairman

Secretary